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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/869,259	11/28/2001	Jerry Moscovitch	500500008USB	2432
54984	7590	09/21/2006		
MASS ENGINEERED DESIGN INC. 474 WELLINGTON STREET WEST TORONTO, ON M5V-1E3 CANADA			EXAMINER SHAPIRO, LEONID	
			ART UNIT 2629	PAPER NUMBER

DATE MAILED: 09/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/869,259	Applicant(s) MOSCOVITCH ET AL.	
	Examiner Leonid Shapiro	Art Unit 2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4,5 and 7-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-2,4-5,7-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-2, 4-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith (US Patent No. 5,768,163) in view of Conway et al. (US patent No. 5,278,779).

As to claim 1, Smith teaches a dual computer display system (see Col. 1, Lines 5-8) comprising
a first computer display connectable to a computer for displaying a first computer image (See Fig. 3, item 16, Col. 4, Lines 7-9);
a second computer display rotatably connected to the first computer display for displaying a second computer image (See Fig. 3, item 17, Col. 4, Lines 7-17),
the first and second computer displays having respective coupling members (See Fig. 3, item 11) for supporting the second display above the first display while allowing rotation of the second display in moving between a first operating position in which the second image is viewable by a first person viewing the first image (See Fig. 3, items 16-17, Col. 4, Lines 7-9) and the second operating position in which the second image is viewable by a second person opposite the first person (See Fig. 2, items 11,17, from Col. 3, Line 61 to Col. 4, Line 6).

Smith does not disclose allowing rotation of the second display about a generally vertical axis.

Conway et al. teaches a rotation of the second display about a generally vertical axis (See Fig. 3B, item 37, Col. 3, Lines 31-37).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate Conway et al. teaching into Smith system in order to protect screen in the folding position (see Col. 2, Lines 42-45 in the Conway et al. reference).

As to claim 2, Smith teaches the coupling member of the first computer display is a plug (Fig. 3, item 12) and the coupling member of the second computer display is a socket (Fig. 3, item 11), the plug and socket allowing the second computer display to be disengaged from the first computer display (See Fig. 3, items 11-12, Col. 4, Lines 10-11).

As to claim 4, Smith teaches a dual computer display system (see Col. 1, Lines 5-8) comprising
a first computer display connected to a computer having a first image surface for displaying a first computer image (See Fig. 3, item 16, Col. 4, Lines 7-9); and
a second computer display pivotably connected at a pivotable connection to the second computer having a second image surface for displaying a second computer image (See Fig. 3, item 17, Col. 4, Lines 7-17).

Smith does not disclose second display moveable about at least two generally orthogonal axes about the pivotable connection.

Conway et al. teaches second display moveable about at least two generally orthogonal axes about the pivotable connection (See Figs. 1A-1D, Col. 2, Lines 24-56).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate Conway et al. teaching into Smith system in order to protect screen in the folding position (see Col. 2, Lines 42-45 in the Conway et al. reference).

As to claim 7, Smith teaches a second computer display is movable between a vertical operating position in which the first and second computer displays are oriented vertically (See Fig. 3, items 16-17, Col. 4, Lines 7-17), second image is viewable by a first person viewing the first image (See Fig. 3, items 16-17, Col. 4, Lines 7-9); a lateral operating position in which the second image is viewable by a second person opposite the first person (See Fig. 2, items 11,17, from Col. 3, Line 61 to Col. 4, Line 6).

As to claim 8, Smith teaches the second computer display is further moveable to a stored position in which the second image surface faces the first image surface (See Fig. 1, item 17 and Fig. 3, item 16).

3. Claims 5, 9-11 and 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leveridge et al. (US patent NO. 5,904,328; hereinafter referred to as Leveridge) in view of Elworthy (US Patent No. 5,012,345).

As to independent claim 5, Leveridge shows a computer display support structure (figure 2) that includes a support member (18), a support arm (84 and 88) extending from the support member and connectable to a first computer display (26) towards one end of the support arm, which displays a first computer image, for supporting the first computer display, and toward an opposite end of the support arm being connectable to a second computer display (28), which displays a second

computer image, for supporting the second display (col. 2, line 59 through col. 3, line 15).

While Leveridge shows two arrows (figure 1) that suggests changing the distance between the two displays and the rotations of the two displays, Leveridge fails to clearly teach having at least one of the ends being moveable between a first operation position in which the first image is viewable by a first person viewing the second image and a second operating position in which the first image is viewable by a second person opposite the first person.

However, Elworthy (figure 1) shows two telescopically mounted arms (38) movable extensible and retractable with respect to the arm 39 (col. 5, lines 10-17).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the teaching of Elworthy of enabling the second display to be rotatable to face the opposite direction of the first display, to be incorporated to Leveridge's device so as motivated by Elworthy, to enable make apparatus more compact (col. 2, lines 52-54), which increases the versatility of the device.

As to independent claim 15, the claim is substantially similar to independent claim 5, and would be rejected similarly as shown with respect to claim 5 above.

As to claim 9, as can be seen above with respect to claim 8; Register shows the retracted configuration (by folding the second display), and the extended configuration (by extending the second display).

As to claim 10, as can be seen in figure 2, Leveridge shows the two ends (90) is being hinged and extendable along the hinge and the support member (col. 3, lines 1-6).

As to claim 11, as seen above, Leveridge (figure 2) shows that at least one of the ends is pivotable connectable to the first and second computer displays (col. 3, lines 1-6).

As to claim 16, as can be seen in figures 1-2, Leveridge shows that the pivot points are equidistant from the first and second edges (90).

4. Claims 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leveridge and Elworthy in view of Moscovitch (Us patent NO. 5,687,939).

As can be seen above, Leveridge and Elworthy teach all the limitations of claims 12-14 and 17, except the citation of having the first orientation as a landscape and the second orientation as portrait orientation.

However, Moscovitch teaches the claimed limitation of having two orientations (portrait and landscape) (col. 4, line 61 through col. 5, line 15, and figures 1, 3-6).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use the teaching of Moscovitch having to orientation to the displays, so as to make the device user friendly as well as to increase the versatility of the device.

Response to Arguments

5. Applicant's arguments with respect to claims 1-2, 4-5, 7-16 have been fully considered but they are not persuasive:

On page 7, 2nd paragraph of Remarks in relation to claim 1, Applicant's stated that there is no suggestion in Conway that the system described therein is applicable to two-screen display system. However, two-screen display system was described in the Smith reference. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). The same related to arguments in 3rd paragraph of Remarks on the same page.

On page 8, 2nd paragraph of Remarks in relation to claim 4, Applicant's stated that there is no suggestion in Conway that the system described therein is applicable to two-screen display system. However, two-screen display system was described in the Smith reference. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). The same related to arguments in 3rd paragraph of Remarks on the same page.

On page 9, 5th paragraph of Remarks in relation to claim 5, Applicant's stated that neither Leveridge nor Elwodhy teaches ends of a support arm such that at least

one of the ends is extendable between a retracted configuration and an extended configuration, thereby varying the distance between the first and second computer displays. However, Elworthy (figure 1) shows two telescopically mounted arms (38) movable extensible and retractable with respect to the arm 39 (col. 5, lines 10-17).

On page 10, 4th paragraph of Remarks in relation to claim 15, Applicant's stated that neither Leveridge nor Elwodhy teaches ends of a support arm such that at least one of the ends is extendable between a retracted configuration and an extended configuration, thereby varying the distance between the first and second computer displays. However, Elworthy (figure 1) shows two telescopically mounted arms (38) movable extensible and retractable with respect to the arm 39 (col. 5, lines 10-17).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


Telephone Inquire

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leonid Shapiro whose telephone number is 571-272-7683. The examiner can normally be reached on 8 a.m. to 5 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe can be reached on 571-272-7691. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

LS
09.28.06


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